



Entered on Docket
August 03, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

Prepared and presented by:

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Proposed Counsel to the Official Committee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES,
aka "Rhodes Homes, *et al.*,"

Debtors.

Case No. BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Honorable Linda B. Riegle

**ORDER GRANTING APPLICATION OF THE OFFICIAL
COMMITTEE OF UNSECURED CREDITORS OF THE
RHODES COMPANIES TO EMPLOY PARSONS BEHLE &
LATIMER AS GENERAL BANKRUPTCY COUNSEL, *NUNC*
PRO TUNC TO THE DATE OF THE COMMITTEE'S
SELECTION OF THE FIRM**

1 Upon the June 18, 2009 application (the "Application") of the above-captioned Official
2 Committee of Unsecured Creditors of *In re the Rhodes Companies, LLC* (the "Committee")
3 seeking authorization to employ and retain Parsons, Behle & Latimer ("Parsons Behle" or the
4 "Firm") as counsel for the Committee [docket # 249]; upon the Declaration of J. Thomas Beckett
5 in Support of Committee's Application for Authorization to Engage Parsons Behle & Latimer as
6 its Counsel (the "Beckett Declaration"), which was submitted concurrently with the Application
7 [docket #250]; the Court finding that: (a) the Court has jurisdiction over this matter pursuant to 28
8 U.S.C. § 1334 and reference from the District Court pursuant to 28 U.S. C. § 157; (b) notice of
9 the Application and the hearing on the Application was sufficient under the circumstances and no
10 further notice need be given; (c) the Court being satisfied, based on the representations made in
11 the Application and the Beckett Declaration that Parsons Behle represents or holds no interest
12 adverse to the Debtors or the Debtors' estates with respect to the matters upon which it is to be
13 engaged, and is disinterested as that term is defined under section 101(14) of the Bankruptcy
14 Code; the Court having determined that the legal and factual bases set forth in the Application,
15 the Statement and the Beckett Declaration establish just cause for the relief granted herein; there
16 having been no objections to the Application filed in the docket in this case; and it appearing that
17 the employment of Parsons Behle is necessary and in the best interests of the Debtors' estates,
18 their creditors and other parties in interest; it is hereby
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22 ORDERED THAT:

- 23 1. The Application shall be, and hereby is, GRANTED.
- 24 2. Pursuant to section 1103(a) of the Bankruptcy Code, the Committee is
25 authorized to employ and retain the Firm as general bankruptcy counsel at the expense of the
26 chapter 11 estates, *nunc pro tunc* as of May 29, 2009, on the terms set forth in the Application.
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1 3. The Firm shall be compensated for such services, and be reimbursed for
2 any related expenses, pursuant to the Application, and the Firm shall file applications and be
3 compensated in accordance with the sections 330 and 331 of the Bankruptcy Code, the
4 Bankruptcy Rules, the Local Rules, and such other procedures as may be fixed by order of this
5 Court.

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7 4. If any potential conflict of interest should arise, or if a relevant connection
8 should be made, the Firm shall promptly file a supplemental declaration under Bankruptcy Rule
9 9014.

10 5. This order is entered without prejudice to the rights of the Acting United
11 States Trustee to take appropriate action pursuant to controlling provisions of the Bankruptcy
12 Code in the event that an actual conflict of interest develops or is discovered, including without
13 limitation the right to seek disqualification of the Firm and disgorgement of fees received by the
14 Firm.

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16 6. This Court shall retain jurisdiction to hear and determine all matters arising
17 from or related to the implementation of this Order.

18 Dated: July 20, 2009.

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20 *Submitted by:*

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22 PARSONS BEHLE & LATIMER

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24 By: /s/ J. Thomas Beckett
25 Rew R. Goodenow, Nevada Bar No. 3722
26 J. Thomas Beckett, Utah Bar No. 5587
27 Karl Olsen, Nevada Bar No. 6767
28 David P. Billings, Utah Bar No. 11510

Proposed Counsel to the Official Committee

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2 *Approved by:*
3

4 OFFICE OF UNITED STATES TRUSTEE

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6 By:  _____

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